

## **Statement to the 2.5.17 Call-In meeting (Warm Water Swimming Provision) of B&NES Council CTE PDS Panel**

Thank you Chair.

I welcome this five party call-In, reflecting concern at what despite exemplary community contributions, is a disturbing, and from at least an equality perspective, an undesirable outcome.

Although speaking as a resident, my view is informed both by my experience advising various public sector organizations on the Public Private Partnership procurement of serviced facilities, and by my understanding of the strategic, policy and funding context of this particular Council decision. As such I would like to share a few insights into why this decision is so very challenging:

### 1. Equality impact assessment

Despite its evident impact on disabled and older people and the Council's statutory duties to reducing inequalities, this decision has been made and a public service is thus being provided without regard to the needs of two protected groups. Furthermore not only does no Equality Impact Analysis appear to have been conducted during<sup>1</sup> the procurement process, but the one written 14 months after the start of the service delivery contract is not fit for purpose.<sup>2</sup>

### 2. Nature of the service delivery partnership

Whilst the officer report alludes<sup>3</sup> to the decision-making importance of the procurement and contracting process, it is silent as to its nature and content. This is a significant omission for it is the inclusion at this stage of such things as outcome and risk allocation specifications, and bid evaluation criteria that might have made it more feasible to accommodate the needs of the protected groups. Some remarks<sup>4</sup> in the officer report also raise concerns about whose vision, values and decision criteria are driving the service delivery arrangement.

### 3. Effectiveness of stakeholder consultation

It seems that despite a 21 year campaign, the WWISE group had little or no input into the refurbishment design<sup>5</sup> and such consultation as occurred was of a "tick box" nature<sup>6</sup>.

### 4. Option definition, evaluation and evidence

Last but not least, central to this decision is an officer assessment of the financial viability of various potential adjustments aimed at accommodating WWISE's requirements. However the report provides little assurance that the options evaluated are the most cost effective way<sup>7</sup> of doing this. Furthermore, this decision seems to have been made largely on grounds<sup>8</sup> of capital costs and deliverability "within the available budget", whereas what is really important to the success of a long-term contract of this nature are minimizing "whole life" costs and delivering lasting value.

Whilst your decision as to whether to uphold or dismiss this Call-In remains a difficult one, I hope that these four insights will enable you to do so in such a way that outcomes are improved not just as regards inclusive swimming, but also for the Council, as financial constraints become ever more stringent and partnership working correspondingly more prevalent.

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